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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

CHASOM BROWN, WILLIAM BYATT,
JEREMY DAVIS, CHRISTOPHER CASTILLO,
and MONIQUE TRUJILLO individually and on
behalf of all other similarly situated,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

SUSMAN GODFREY L.L.P.

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Shawn J. Rabin (admitted pro hac vice)
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Case No.: 4:20-cv-03664-YGR-SVK

**PLAINTIFFS' RESPONSE TO
GOOGLE'S NOTICE (DKT. 1144)
REGARDING PLAINTIFFS' MOTIONS**

Judge: Hon. Yvonne Gonzalez Rogers

On Thursday, September 19, 2024, Defendant Google LLC (“Google”) informed Plaintiffs that it would be seeking a stay, then unilaterally filed a Notice advising that Google plans to move the Court to “defer its ruling on Plaintiffs’ [Unopposed] Motion for Final Approval of Class Action Settlement (Dkt. 1096) and Plaintiffs’ Motion for an Award of Attorneys’ Fees, Costs, and Service Awards (Dkt. 1106).” Dkt. 1144. Google’s Notice, filed on September 20, 2024, claims that a stay is warranted “pending the *Salcido* Plaintiffs’ appeal of the Court’s August 12, 2024 order denying their Motion to Intervene and to Continue the Final Approval Hearing (Dkt. 1130).” *Id.* By email, Google’s counsel clarified Google’s position: “if the *Salcido* Plaintiffs were permitted to intervene [to appeal the denial of Rule 23(b)(3) certification], and prevailed in their appeal, that would undermine the primary purposes of the Settlement Agreement.” *Id.*

Plaintiffs were not available to meet and confer on September 20, 2024, but informed Google that they would be available Monday, September 23, 2024. Plaintiffs then met and conferred on the matter for the first time on that day. At that meet and confer, counsel for Google acknowledged that no provision in the Settlement Agreement releases or waives class members’ ability to appeal the Court’s 23(b)(3) decision; only the named Plaintiffs waived that right. *See also* Dkt. 1097-4 at 6 § 2.8. Google’s counsel also agreed that the only class-wide relief reflected in the Settlement Agreement relates to 23(b)(2) relief. Based on Google’s acknowledgement, there is no basis for Google to seek to stay a ruling on Plaintiffs’ Unopposed Motion for Final Approval of Class Action Settlement or Plaintiffs’ Motion for an Award of Attorneys’ Fees, Costs, and Service Awards.

Plaintiffs respectfully request that this Court disregard Google’s notice. The *Salcido* Plaintiffs’ appeal of the denial of intervention should not delay any ruling the Court plans to issue regarding final approval and attorneys’ fees, costs, and service awards.

Dated: September 24, 2024

Respectfully submitted,

By: /s/ Mark C. Mao

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